

REMARKS

This responds to the Final Office Action mailed on November 12, 2008.

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 1, 5-6, and 12-87 remain pending in this application.

§103 Rejection of the Claims

Claims 1, 5, 15-18, 20-30, 33-34,36-37,39-50, 55-57, 59-69, 71-72,74-75, and 77 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter et al. (U.S. 5,418,945) in view of Hurvig (U.S. 5,628,005).

Carter is directed at providing a hybrid database that combines the features of commercial databases and source code control systems (Carter, 2: 48-50). The Final Office Action cites the resident database that contains the first master file group (Carter, 3: 52-57) to show the stored data set recited in claim 1. Carter explains that when a file group is checked out by a client for alteration, the server records the master file group as locked. There is no indication that a file group transferred to the client in response to the client's request is a locked file group. On the contrary, Carter states that the file group is transferred to the client for the purposes of alteration, which suggests that the server, while locking the master file group at the server, transfers an unlocked copy of the requested file group to the client. When, on the other hand, a master file group is locked on the server, a check out request from a client is denied. (Carter, 5: 18-26.) Carter, therefore, teaches away from "transmitting the locked data set... to a second entity" recited in claim 1.

Furthermore, there is no support in Carter for an assertion that an operation of "reversing" is taking place at the client in Carter. A checking-out operation performed to permit a client to alter the checked-out data is distinct from an operation of "reversing" recited in claim 1, whether the act of "reversing" is with respect to the locked data set such that the locked data set becomes an unlocked data set being available for modification or with respect to the unlocked data set such that the unlocked data set becomes a locked data set being prevented from modification.

Hurvig describes a server granting a requesting process an opportunistic lock under certain circumstances. If a process obtains from the server an opportunistic lock on the requested file, the file is transmitted to the process. The process that has been granted a lock may have read-only or read-write access permission with respect to the file. (Hurvig, 9: 14-24.) Hurvig does not refer to files stored in the resource 208 as being "locked" or "unlocked." Instead, Hurvig discusses the concept of an opportunistic lock that may be selectively granted to a requesting process. When a process Hurvig that has a read-only access to a file is granted a lock on that file and therefore the file has been transmitted to the process, it cannot be said that an operation of "reversing .. the unlocked data at the second entity" is taking place, because the type of file access available to the process may be part of the file's metadata so that no "reversing" would have to take place after the file is transferred to the process. Thus, Hurvig, like Carter, whether considered separately or in combination with Carter, fails to disclose or suggest an operation of "reversing" recited in claim 1.

Thus, the combination of Carter and Hurvig fails to disclose or suggest a method comprising "reversing the locked data set and the unlocked data set at the second entity, such that the locked data set becomes an unlocked data set being available for modification and the unlocked data set becomes a locked data set being protected from modification," as recited in claim 1. Because the combination of Carter and Hurvig fails to disclose or suggest all elements of claim 1, claim 1 and its dependent claims are patentable and should be allowed.

Still further, combining Hurvig with Carter does not yield the method of claim 1, because combining Carter (transferring a copy of a file group to a client and then preventing access to the corresponding maser file group by other clients) and Hurvig (granting a process an opportunistic lock on a file to prevent other processes from obtaining a copy of the file) can never result in a scenario where a locked data set and an unlocked data set are maintained at a first entity such that the unlocked data set is available for modification and the locked data set is protected from modification, but at a second entity that unlocked data set becomes locked and that locked data set becomes unlocked. Thus, the combination of Carter and Hurvig fails to disclose or suggest the features recited in claim 1 and its dependent claims, as well as in claims

20, 33, 40, 59, 71, and their respective dependent claims. These claims are therefore patentable in view of the combination of Carter and Hurvig and should be allowed.

Claims 12-14, 19, 31-32, 38, 51-53, 58, 70 and 76 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter et al. (U.S. Patent No. 5,418,945) and Hurvig (U.S. Patent No. 5,628,005) in view of Fabbio (U.S. Patent No. 5,335,346).

Fabbio is directed at a system and method that provides an access control list (ACL) that spans across object boundaries in an object oriented database (Fabbio, Abstract). Fabbio, whether considered separately or in combination with Carter and Hurvig, fails to disclose or suggest a scenario where a locked data set and an unlocked data set are maintained at a first entity such that the unlocked data set is available for modification and the locked data set is protected from modification, but at a second entity that unlocked data set becomes locked and that locked data set becomes unlocked. Therefore, because claims 12-14, 19, 31-32, 38, 51-53, 58, 70 and 76 include this feature by virtue of being dependent on their respective base claims are patentable and should be allowed.

Claims 6, 35, 45, 73 and 78-87 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter et al. (U.S. Patent No. 5,418,945) in view of Hurvig (U.S. Patent No. 5,628,005) as applied to claims 1, 20, 33, 40, 59 and 71, and further in view of Sweeney et al. (U.S. Patent No. 5,966,715).

Sweeney is directed at a user management system that allows permissive access to applications and stored procedures and a version control management system which ensures a user is using the desired or current version of an application. (Sweeney, Abstract.) Sweeney, whether considered separately or in combination with Carter and Hurvig, fails to disclose or suggest a scenario where a locked data set and an unlocked data set are maintained at a first entity such that the unlocked data set is available for modification and the locked data set is protected from modification, but at a second entity that unlocked data set becomes locked and that locked data set becomes unlocked. Therefore, because claims 6, 35, 45, 73 and 78-87 include this feature by virtue of being dependent on their respective base claims are patentable and should be allowed.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (408) 278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 26, 2009.

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